

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

OSCAR VARGAS,)	
)	
Petitioner,)	Civil Action No. 14-161
)	
v.)	Judge Cathy Bissoon
)	Magistrate Judge Susan Paradise Baxter
JOHN WETZEL, <i>et. al.</i> ,)	
)	
Respondents.)	

MEMORANDUM ORDER

This case was referred to United States Magistrate Judge Susan Paradise Baxter for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On February 24, 2016, the Magistrate Judge issued a Report (Doc. 16) recommending that the petition for a writ of habeas corpus, and the certificate of appealability, be denied. Service of the Report and Recommendation was made. On April 11, 2016 and April 13, 2016, Oscar Vargas ("Petitioner") filed objections to the Report and Recommendation. (Docs. 22, 23).

After a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation and the Objections thereto, the following Order is entered:

The Petition of Oscar Vargas for a writ of habeas corpus (**Doc. 1**) is **DISMISSED** and a certificate of appealability is **DENIED**. The Report and Recommendation of the Magistrate Judge, dated February 24, 2016, hereby is adopted as the Opinion of the District Court.

IT IS SO ORDERED.

April 14, 2016

s/Cathy Bissoon

Cathy Bissoon
United States District Judge

cc (via ECF email notification):

All counsel of record

cc (via First-Class U.S. Mail):

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